## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:10-CV-00568-GCM

KATHERINE E. WEAVER,	)	
Plaintiff,	)	
VS.	)	ORDER
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
Defendant.	)	

This matter is before the Court upon the memorandum and recommendation of United States Magistrate David C. Keesler, filed August 10, 2011. The parties were advised that pursuant to 28 U.S.C. § 636(b)(1)(C), and Rule 72 of the Federal Rules of Civil Procedure, written objections to the memorandum and recommendation must be filed within 14 days after service of the memorandum. Plaintiff timely filed an objection, and Defendant timely filed a response.

After an independent and thorough review of the magistrate's memorandum, Plaintiff's objections thereto, and Defendant's responses to the objections, the Court concludes that the recommendation to deny the Plaintiff's Motion for Summary Judgment and to grant the Defendant's Motion for Summary Judgment is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are accepted, and Plaintiff's Motion for Summary Judgment is DENIED and Defendant's Motion for Summary Judgment is GRANTED.

IT IS THEREFORE ORDERED that the memorandum and recommendation of the magistrate is hereby AFFIRMED.

Signed: September 30, 2011

Graham C. Mullen

United States District Judge